7516537/2023/COURTS-B-HOM01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Judicial Department – Case under the Prevention of Corruption Act, 1988 against Sri. Manepalli Siva Krishna Mohan S/o late Sriramachandra Murthy, (retired office superintendent of the Principal Senior Civil Judge Court, Anakapalle, Visakhapatnam District) reappointed as Head Clerk on contract basis in the court of Additional Senior Civil Judge (FTC), Anakapalle and deputed to work at Principal Senior Civil Judge Court, Anakapalle - Trapped on 23.03.2021 - Sanction of prosecution – Orders – Issued.

HOME (COURTS-B) DEPARTMENT

G.O.Ms.No.95 **Dated: 16.05.2023**

ORDER:

1) Whereas, Sri Manepalli Siva Krishna Mohan S/o late Sriramachandra Murthy worked as Head Clerk on contract basis in the court of the Principal Senior Civil Judge, Anakapalle after his retirement as Superintendent in the same court from 10.12.2020 to 23.03.2021 and by virtue of the post held by him, he falls under the category of public servant as defined under section 2 (c) of the Prevention of Corruption (Amendment) Act, 2018 (as amended by Act 16 of 2018).

2) And whereas on 22.03.2021 at 10.00 hours, Sri Boddeda Muralikrishna S/o Lingaraju came to the office of DSP, ACB, Visakhapatnam Range, Visakhapatnam and lodged a written report against Sri Manepalli Siva Krishna Mohan S/o late Sriramachandra Murthy (retired office superintendent of the Principal Senior Civil Judge, Anakapalli, Visakhapatnam District) reappointed as Head Clerk stating that he is a resident of Door No. 14-22-9, Nidanam Doddi, opp. Gowri Sevasangham, Gavarapalem, Anakapalli Town, Visakhapatnam District (now Anakapalli District). He is eking out livelihood by doing coconut business at Anakapalli. He purchased a slabbed house constructed in 7 ¼ cents of land in NGOs colony at Kothuru Village of Anakapalli in the year 2014 for Rs.22,32,000/- vide document No. 987/2014 of SRO, Anakapalli from Kuppili Chitti Venkata Srikanth and got confirmed the purchase of house vide document No. 1122/2014 of SRO, Anakapalli. Later in the year 2015 Sri Kuppili Chitti Venkata Srikanth got cancelled the above said registration forcibly through document No. 7512/2015 (GPA) and document No.7513/2015 (confirmed registration) of SRO, Anakapalli. On 04.12.2018, he got filed a suit in the Hon'ble Court of Prl. Senior Civil Judge, Anakapalli through advocates Sri Sashank and Sri Ramarao for cancellation of the above said forcible cancellation and the same was assigned a GR Number. The Hon'ble Judge raised certain objections and his Advocates complied the same. He was roaming around the Court office Superintendent Sri Krishna Mohan for 3 months for issuance of OS Number. On 15.03.2021 at about 11 AM when he went to the office of Court office Superintendent Sri Manepalli Siva Krishna Mohan on the 2nd floor of Anakapalli Court complex

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and requested him to give OS Number, Sri Manepalli Siva Krishna Mohan demanded him to pay Rs.10,000/- as a bribe. When he requested Sri Manepalli Siva Krishna Mohan to reduce the amount, he initially reduced it to Rs.8,000/- and then to Rs.6,000/- and informed Sri Boddeda Muralikrishna that he would issue the OS Number, only if Sri Boddeda Muralikrishna pays the demanded bribe. On 17.03.2021 at about 10:30 AM, Sri Boddeda Muralikrishna met Superintendent Sri Manepalli Siva Krishna Mohan in his office room and requested for OS Number then Sri Manepalli Siva Krishna Mohan asked him to pay the bribe amount which was demanded earlier then he would issue OS Number and so saying Sri Manepalli Siva Krishna Mohan also informed him that four or five thousand is not a big deal to him, and asked him to pay the same. Sri Manepalli Siva Krishna Mohan further stated that "NAA PADDATI PADI RUPAYALU TINALI, PANI CHEYALI" and if Sri Boddeda Muralikrishna pays the demanded amount, he would issue OS number in an hour. Sri Boddeda Muralikrishna told him that he didn't bring the money, he informed that he would bring and returned. But, Sri Boddeda Muralikrishna unwilling getting his work done by paying bribe. On 20.03.2021 at about 10:30 hrs he again met Superintendent Sri Manepalli Siva Krishna Mohan in his office and requested him to issue OS Number. On that Sri Manepalli Siva Krishna Mohan said that he sent one plaint (belongs to his sisters-in-law Bheesetti Syamala's partition plaint) and with regard to the plaint filed by Sri Boddeda Muralikrishna the changes made in neat copy have to be reflected in plaint. For that Sri Manepalli Siva Krishna Mohan asked to send his advocate Ramarao to him, and asked him to come on Monday morning and pay Rs.5,000/- and then he would complete the work and issue OS Number. Sri Boddeda Muralikrishna unwilling to get his work done by paying bribe. Having no other alternative, Sri Boddeda Muralikrishna unwillingly agreed to pay the bribe. Sri Boddeda Muralikrishna recorded the voice conversations between him and the office Superintendent Sri Manepalli Siva Krishna Mohan through his mobile phone that took place on 17.03.2021 & 20.03.2021 and transferred the same to a memory card. Sri Boddeda Muralikrishna came to the office of DSP, ACB, Visakhapatnam and submitted a Telugu written report along with memory card to the DSP, ACB, Visakhapatnam on 22.03.2021 at 10:00 hrs for taking necessary action against Sri Manepalli Siva Krishna Mohan.

3) And whereas after due verification of the report, the Dy. Supdt. of Police, Anti-Corruption Bureau, Visakhapatnam Range registered the complaint as a case in Cr.No.04/RCT-VSP/2021 U/s 7 (a) of PC Act, 1988 (as amended in 2018) of ACB, Visakhapatnam Range, Visakhapatnam on 23.03.2021 at 06.00 hours and took up investigation.

4) And whereas on 23.03.2021 at about 11:10 hours, Sri Manepalli Siva Krishna Mohan further demanded and accepted the bribe amount of Rs.5,000/- from Sri Boddeda Murali Krishna at his office seat situated in the court of Principal Senior Civil Judge, Anakapalle, Visakhapatnam district (Now Anakapalli District). Sri Manepalli Siva Krishna Mohan received the bribe amount of Rs.5,000/- with his right hand and kept in his left side shirt pocket. The DSP recovered the tainted currency of Rs.5,000/- from the left side shirt pocket of Sri Manepalli Siva Krishna Mohan at his instance in the presence of

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mediators. The serial numbers of tainted amount of Rs.5,000/- were found tallied with the denominations and numbers of currency notes mentioned in the pre-trap proceedings. Right hand fingers of Sri Manepalli Siva Krishna Mohan and inner linings of his left side shirt pocket were subjected to chemical test and they yielded positive results. The bribe amount of Rs.5,000/-, connected records and material objects pertaining to this case were seized by the DSP in the presence of mediators under cover of Mediators Report-II.

5) And whereas the aforesaid acts of Sri Manepalli Siva Krishna Mohan S/o late Sriramachandra Murthy, (retired office superintendent of the Principal Senior Civil Judge, Anakapalle, Visakhapatnam District) reappointed as Head Clerk on contract basis constitute offence under section 7(a) of Prevention of Corruption (Amendment) Act, 2018.

6) And whereas, the Government of Andhra Pradesh being the competent authority to remove / terminate Sri Manepalli Siva Krishna Mohan S/o late Sriramachandra Murthy (retired office superintendent of the Principal Senior Civil Judge, Anakapalle, Visakhapatnam District) and reappointed as Head Clerk on contract basis from his service after fully and carefully examining the material viz., copy of FIR, copies of statements of witnesses, relevant records, draft final report of DG, ACB and other material placed before the Government in regard to the said allegation and circumstances of the case considered that Sri Manepalli Siva Krishna Mohan S/o late Sriramachandra Murthy (retired office superintendent of the Principal Senior Civil Judge, Anakapalle, Visakhapatnam District) reappointed as Head Clerk on contract basis should be prosecuted in a court of law for the aforesaid offences.

7) Now therefore in exercise of the powers conferred by clause (b) of the Sub Section (1) of Section 19 of the Prevention of Corruption (Amendment) Act, 2018, the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Manepalli Siva Krishna Mohan S/o late Sri ramachandra Murthy (retired office superintendent of the Principal Senior Civil Judge, Anakapalle, Visakhapatnam District) reappointed as Head Clerk on contract basis for the aforesaid offence punishable under sections 7 (a) of the Prevention of Corruption (Amendment) Act, 2018 and for any other cognizable offences punishable under any provisions of law for the time being in force in respect of the aforesaid act and for taking cognizance of the said offences by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(G SATYA PRABHAKAR RAO
SECRETARY TO GOVERNMENT
LEGAL & LEGISLATIVE AFFAIRS AND JUSTICE)

To
The Director General,
Anti-Corruption Bureau,
A.P., Vijayawada.

Secretary to Government,
Legal and Legislative Affairs and Justice,
Law Department,
A.P. Secretariat, Amaravathi.